

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FILED
IN CLERKS OFFICE

2011 MAY 27 A 9:26

UNITED STATES OF AMERICA

v.

- 1. JOHN WILLIS**
- a/k/a "Bac Guai John"**
- 2. BRANT WELTY**
- 3. PETER MELENDEZ a/k/a "Shrek"**
- 4. AIBUN ENG**
- 5. BRIAN BOWES**
- 6. KEVIN BARANOWSKI**
- 7. MICHAEL CLEMENTE**
- a/k/a "Ricky Martin"**
- 8. MICHAEL SHAW**
- 9. MARK THOMPSON**
- 10. STEVEN LE a/k/a "Little Stevie"**
- 11. VINCENT ALBERICO**
- 12. BRIDGET WELTY**
- 13. ANEVAY DUFFY a/k/a "Homegirl"**

Defendants.

FILED UNDER SEAL

U.S. DISTRICT COURT
DISTRICT OF MASS.

CRIMINAL NO. _____

ORDER

_____, D.J.:

This matter comes before the Court on the motion of the United States for an Order authorizing the United States and its agencies to maintain custody of certain property pending the conclusion of criminal forfeiture proceedings in this case.

WHEREAS, the property in question includes the following, as described in the

Indictment's Drug Forfeiture Allegation:

- d. Approximately \$98,473.00 in United States currency, seized by the Ridgeland, South Carolina, Police Department from Defendant MICHAEL SHAW and Defendant JOHN WILLIS (who falsely identified himself to police as Defendant BRANT WELTY) on or about February 10, 2011, on Route 95 in Ridgeland,

South Carolina, turned over to the Drug Enforcement Administration for federal forfeiture, numbered for tracking purposes as asset No. 11-DEA-543937, and claimed on or about April 20, 2011, by Defendant MICHAEL SHAW via a false sworn statement submitted by SHAW to DEA Forfeiture Counsel (hereafter, the "Seized Currency");

WHEREAS, the Seized Currency is already in the lawful custody of the United States;

WHEREAS, the government has stated that it intends to maintain and preserve the Seized Currency for criminal forfeiture;

WHEREAS, 18 U.S.C. § 983(a)(3)(B)(ii)(II) requires that the government, to maintain custody for criminal forfeiture of civilly seized, and administratively claimed, property as to which the government wishes to preserve the option of civil judicial forfeiture, must take steps to preserve the property under 21 U.S.C. § 853; and

WHEREAS, Section 853(e)(1) authorizes the Court to take any action necessary to preserve the availability of property for forfeiture,

WHEREFORE, IT IS HEREBY ORDERED that the United States and its agencies, including the U.S. Marshals Service, are authorized to maintain and preserve the Seized Currency until the conclusion of this case, pending further Order of this Court,

AND IT IS FURTHER ORDERED, that this Order satisfies the requirements of 18 U.S.C. § 983(a)(3)(B)(ii)(II) as to this asset.

U.S. DISTRICT JUDGE

Dated: _____